

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE.**

SOU MOTO WRIT PETITION NO. 203 OF 2006.

Raghunath M.Choudhari	... Petitioner.
V/s.	
District Rehabilitation Officer, Pune &Mors.	... Respondent.

Petitioner in person.

Shri D.A. Patil, AGP for respondent Nos. 1 to 3.

CORAM : V.C.DAGA, J.

DATED : 14.3 .2006.

P.C. :

. Heard parties.

Perused papers and the prayer made.

2. In response to the notice, learned A.G.P.

has filed an affidavit of Shri S.R. Chavan,

District Rehabilitation Officer, dated 9th March

2006 stating as under:

(i) That no award has been passed in respect of the petitioners land under the provisions of the Land Acquisition Act.

(ii) That the actual possession of the land of the petitioner Mr. Raghunath M.Choudhari was never taken or disturbed and that the petitioner is still enjoying peaceful possession of the land in question.

(iii). That the possession of the petitioner shall not be disturbed in any manner without following due process of law.

3. The statements made in the affidavit and

recorded hereinabove are taken on record.

4. In view of the above statements no specific order from this Court is necessary. The State shall be bound by the statements made before this Court. However, it would be open for the petitioner to resort to the provisions of section 48 as desired by him, if permissible in law. In that event, it would be open for the State to contest the same in accordance with law. All rival contentions are kept open.

5. Petition accordingly stands disposed of with no order as to costs.

(V.C.DAGA,J.)